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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/891,445        |
| Filing Date            | June 26, 2001     |
| First Named Inventor   | Yunhua N. Jeng    |
| Group Art Unit         | 1654              |
| Examiner Name          | TELLER, R. R.     |
| Attorney Docket Number | 11916.0048.NPUS00 |

#12  
M.G.J  
7/7/03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

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JUN 24 2003

TECH CENTER 1600/2900

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☒ Information Disclosure Statement (IDS)
  - iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11916.0048.NPUS00
  - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$750.00)
  - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 06/24/2003 AWONDAF1 00000026 012508 09891445
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ Enclosed 01 FC:1801 750.00 DA
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                       |                                   |               |
|-------------------|-----------------------|-----------------------------------|---------------|
| Name (Print/Type) | Matthew L. Madsen     | Registration No. (Attorney/Agent) | 45,594        |
| Signature         | <i>Matthew Madsen</i> | Date                              | June 19, 2003 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

|                   |                          |      |               |
|-------------------|--------------------------|------|---------------|
| Name (Print/Type) | PAULA S. LINKHART        | Date | June 19, 2003 |
| Signature         | <i>Paula S. Linkhart</i> |      |               |



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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*June 19, 2003*  
Date

*Paula S. Linkhart*  
Signature

PATENT

#13  
M.G.J  
7/7/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:  
Yunhau N. JENG  
Kanaiyalal R. PATEL

Confirmation No.: 6324

JUN 24 2003

Group Art Unit: 1654

Serial No.: 09/891,445

Examiner: TELLER, R.R.

TECH CENTER 1600/2900

Filed: June 26, 2001

Atty. Dkt. No.: 11916.0048.NPUS00  
(MOPV048---)

For: NON-AQUEOUS  
SURFACTANT-CONTAINING  
FORMULATIONS FOR EXTENDED  
RELEASE OF SOMATOTROPIN

**SUBMISSION UNDER 37 C.F.R. § 1.114 IN  
RESPONSE TO FINAL OFFICE ACTION DATED MAY 1, 2003**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted as part of a Request for Continued Examination (RCE) with the appropriate fee. It is believed to be fully responsive to the Final Office Action dated May 1, 2003, for which the three-month date for response is August 1, 2003. Also provided herewith is a Request for Continued Examination, a Supplemental Information Disclosure Statement, a Form 1449, and copies of the references listed in the Form 1449.

It is believed that no additional fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11916.0048.NPUS00.

Reconsideration of the application in view of the following amendments and remarks is respectfully requested.